

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN A. LEHR,

Defendant.

CASE NO. CR18-0189-JCC

ORDER

This matter comes before the Court on Defendant Brian A. Lehr's unopposed motion to continue trial and the pretrial motions deadline (Dkt. No. 10) and speedy trial waiver (Dkt. No. 12). Having thoroughly considered Defendant's filings, the Court GRANTS the motion (Dkt. No. 10). The Court FINDS that:

1. Taking into account the exercise of due diligence, a continuance is necessary to allow the defense the reasonable time for effective preparation, to review discovery, and to conduct additional investigation. 18 U.S.C. § 3161(h)(7)(B)(iv).
2. Proceeding to trial absent adequate time for the defense to prepare, taking into account the exercise of due diligence, would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).
3. A continuance is necessary to ensure adequate time for defense investigation, effective trial preparation, and an opportunity for Defendant to benefit from these efforts. On this

1 basis, the Court finds that the ends of justice served by granting this continuance  
2 outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C.  
3 § 3161(h)(7)(A).

4 It is therefore ORDERED that trial shall be continued from October 15, 2018 to January  
5 22, 2019 at 9:30 a.m. It is further ORDERED that the time between the date of this order and the  
6 new trial date is excludable time under the Speedy Trial Act pursuant to Title 18, United States  
7 Code, sections 3161(h)(7)(A), 3161(h)(7)(B)(ii), 3161(h)(7)(B)(iv) and 3161(h)(6). Any pre-trial  
8 motions shall be filed no later than December 7, 2018.

9 DATED this 7th day of September 2018.

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13 John C. Coughenour  
14 UNITED STATES DISTRICT JUDGE  
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